

MAK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

Talbert

v.

Johnson

:
:
:
:

CIVIL ACTION

NO. **19 1341**

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ☐
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ☐
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ☐
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ☐
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases. ☐
- (f) Standard Management – Cases that do not fall into any one of the other tracks. **550** ☒

MAR 29 2019

Date

DeL. McQuinn

Deputy Clerk

Attorney for

Telephone

FAX Number

E-Mail Address

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

19

1341

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 7901 State Road, Philadelphia, PA 19136

Address of Defendant:

Place of Accident, Incident or Transaction: Philadelphia

RELATED CASE, IF ANY:

Case Number: 19-1340 Judge: Kearney Date Terminated:

Civil cases are deemed related when Yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes ☐ No ☐
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes ☐ No ☐
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? Yes ☐ No ☐
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? Yes ☐ No ☐

I certify that, to my knowledge, the within case ☐ is / ☐ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 03/29/2019 Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Patent
- ☐ 6. Labor-Management Relations
- ☒ 7. Civil Rights 550
- ☐ 8. Habeas Corpus
- ☐ 9. Securities Act(s) Cases
- ☐ 10. Social Security Review Cases
- ☐ 11. All other Federal Question Cases (Please specify):

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify):
- ☐ 7. Products Liability
- ☐ 8. Products Liability - Asbestos
- ☐ 9. All other Diversity Cases (Please specify):

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, _____, counsel of record or pro se plaintiff, do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:
- ☐ Relief other than monetary damages is sought.

DATE: Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

MAK
Charles Talbert

FFN: 810247

7901 State Road

Phila. Pa. 19136

March 6, 2019

United States District Court

Eastern District of Pennsylvania

Charles Talbert

Civil Action

19

1341

v.

No.

Sergeant Johnson

Complaint

1. Plaintiff is an adult individual.

2. Defendant, at the time of occurrence, was a Police Sergeant, employed by the City of Philadelphia (the City), and assigned by the Philadelphia Police Department (PPD), to work at the Roundhouse police district at 8TH and Race Streets, in Philadelphia, Pa.

3. On January 9, 2019, Plaintiff had been interviewed by both PPD and Federal investigators, in regards to two (2) alleged bank robberies, to which the FBI failed to prosecute; however, PPD detectives did.

4. After being cleared by the FBI, Plaintiff was sent to the roundhouse on 8TH and Race Streets, to which he noticed his cellular phone being misplaced from his property.

5. Plaintiff, asked Defendant numerous times where his cellular phone was at, in which Defendant alleged that the FBI had it.

6. Plaintiff, then asked Defendant to contact the FBI, to recover his cellular phone, to which Defendant refused to do.

7. Plaintiff, then requested to speak with an officer of higher rank, yet, Defendant refused to provide Plaintiff that assistance.

8. An officer named, Bones, then handcuffed Plaintiff behind his back.

9. Without further notice, Defendant then used unnecessary, and excessive force upon Plaintiff, by turning Plaintiff around, and aggressively throwing him up against a hard wall which broke off a piece of Plaintiff's tooth; And thereafter, aggressively bent Plaintiff's cuffed wrists upwards, and then his arms, attempting to break them.

10. Plaintiff, screamed out in excruciating pain until Defendant had ceased his actions.

11. Due to the aforesaid assault by Defendant, Plaintiff was forced to go to the Hahnemann University Hospital for:

- (i) right shoulder pain;
- (ii) bilateral wrist pain; and
- (iii) a broken tooth.

12. The aforementioned assault was unprovoked, yet, caused to intentionally and maliciously cause Plaintiff harm.

13. Plaintiff, was thereafter transported to a Philadelphia prison to which he was seen again by prison dentists and doctors for the aforementioned injuries caused by Defendant.

WHEREFORE, Plaintiff demands relief against Defendant in the form of:

14. compensatory damages: \$ 250,000.00

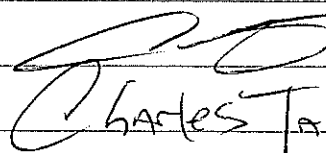
15. punitive damages: \$ 250,000.00

16. reasonable costs and fees if any

17. such other relief to which this Court deems appropriate.

I hereby verify under penalty of perjury that the foregoing is true and correct.

3/6/19

 All Rights Reserved
Charles Talbert, Pro Se Plaintiff

Hahnemann University Hospital
230 N. Broad Street
Philadelphia, PA 19102-1121
Phone: 2157627000

Patient Education & Visit Summary

PERSON INFORMATION

Name: ~~TALBERT, CHARLES~~

Address: ~~143 W PRICE ST PHILADELPHIA PA 19144-3309~~ **Phone:** 2159544958

MRN: 655406 **Acct#:** 81332017

Arrival Time: 01/09/2019 22:30:00 **ED Discharge Time:**

VISIT INFORMATION

Presenting Complaint: Patient states he was assaulted by an officer. Reports right shoulder pain, b/l wrist pain and a broken tooth

Patient Diagnosis: Acute pain of right shoulder; Bilateral wrist pain

Primary Care Provider: HANKINS MD REF, ALTHEA V

Primary Physician: JONES CRNP, ANN MARIE

Allergy Info: Pork; Pollen; Dust

Discharge Location:

FOLLOW-UP WITH:

With:	Address:	When:
ALTHEA HANKINS MD	5801 GERMANTOWN AVENUE PHILADELPHIA, PA 19144 2158421075 Business (1)	Within 1-2 days

Comments:

Recheck today's complaints to follow up with your family physician. Rest, apply ice alternating 20 mintues on 20 mintues off for the next two days. Keep affected area elevated. Return to the ER if you develop any worsening or concerning symptoms.

If you should have any difficulty making arrangements, please call the Emergency Department. If you have a problem and are not able to contact your primary care provider, you may return to the Emergency Department at any time.

Your important health information, including your test results, is available online through My Patient Portal. If you did not sign up for My Patient Portal during your hospital stay, please call the hospital to enroll. If you have signed up and need assistance logging in to My Patient Portal, please call 1-888-252-8149. For questions regarding medications or other health concerns after discharge, please contact your physician's office.

PATIENT EDUCATION INFORMATION GIVEN:

Wrist Pain, Adult, Easy-to-Read; Shoulder Pain, Easy-to-Read

IMMUNIZATIONS:

MAJOR TESTS AND PROCEDURES:

Laboratory Orders

No laboratory orders were placed.

Radiology Orders

Name	Status
XR Shoulder Complete Min 2 Views Right	InProcess

Cardiology Orders

No cardiology orders were placed.

Order Name Order Details

Discharge Patient	Discharge To: Home Discharge Diet: Resume Home Diet
----------------------	--

ANN MARIE JONES, CRNP
230 N BROAD STREET EMR FAST TRACK
PHILADELPHIA, PA 19102
Phone Number: (215)762-7000

TALBERT, CHARLES

Sex: Male

Weight:

Allergies: Dust, Pollen, Pork

Pharmacist Please Note - Allergy list may be incomplete

Patient Address: ~~442 W PINE ST,~~
PHILADELPHIA, PA 19144-3309

Home Phone: 2159544958
Work Phone

Prescription Details:

Date Issue: 01/10/2019

Rx: Tylenol 325 mg oral tablet

SIG: 2 tab Oral TID for 5 day

Dispense/Supply: 30(thirty) tab

Refills: 0

Instructions: not to exceed 4000 mg/day

X: Electronically signed by: ANN MARIE JONES, CRNP

Substitution Permissible

IN ORDER FOR A BRAND NAME PRODUCT TO BE DISPENSED, THE PRESCRIBER MUST
HANDWRITE "BRAND NECESSARY" OR "BRAND MEDICALY NECESSARY" IN THE SPACE BELOW.

Prescribed by: ANN MARIE JONES, CRNP

License #: _____

NPI #: 1083116230

Number of Drugs Prescribed: 1

Page: 1 of 1

TALBERT, CHARLES 810247 1 of 2

CLINICAL SOLUTIONS, LLC, 416 MARY LINDSAY POLK DR #515 FRANKLIN, TN 37067
1-877-826-5488 | FAX: 1-866-920-1597

ACETAMINOPHEN 325MG TAB RX #: 7792560
00904-1982-80 EQV: MAPAP CFCF-B - 1299
QTY: 56 RFL: 0 DOB: 3/27/1981 MFR: MAJOR
EXPIRATION: 01/19/2020

**TAKE TWO TABLET(S) BY MOUTH TWICE DAILY
AS NEEDED**

RPh: JF / SW
Start: 01/19/2019
DISP: 01/19/2019
Stop: 02/01/2019

PRESCRIBER:
HAQUE, MOHAMMED

TALBERT, CHARLES QTY: 56
ACETAMINOPHEN 325MG TAB RX #: 7792560
810247
CFCF-B
DISP: 01/19/2019

TALBERT, CHARLES 810247 1 of 2

CLINICAL SOLUTIONS, LLC, 416 MARY LINDSAY POLK DR #515 FRANKLIN, TN 37067
1-877-826-5488 | FAX: 1-866-920-1597

ACETAMINOPHEN 325MG TAB RX #: 7825951
00904-1982-80 EQV: MAPAP CFCF-A - 1299
QTY: 60 RFL: 1 DOB: 3/27/1981 MFR: MAJOR
EXPIRATION: 02/05/2020

**TAKE TWO TABLET(S) BY MOUTH TWICE DAILY
AS NEEDED**

RPh: KD / SW
Start: 02/05/2019
DISP: 02/05/2019
Stop: 03/06/2019

PRESCRIBER:
HAMWRIGHT, SHATYRA

TALBERT, CHARLES QTY: 60
ACETAMINOPHEN 325MG TAB RX #: 7825951
810247 Earliest Refill: 02/12/2019
CFCF-A
DISP: 02/05/2019

A1 P2 2

Prescribed Pain Medication
From Assault By Police
Sergeant Johnson (White
In Prison) Awaiting Trial

Charles Talbert
PPN: 810247
7901 State Road
Phila. PA. 19136

March 7, 2019

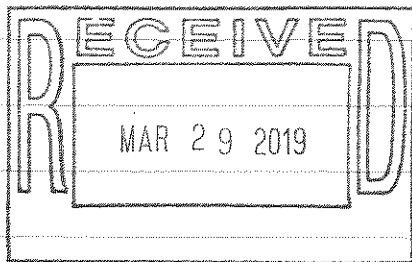
Re: Two (2) Civil Complaints

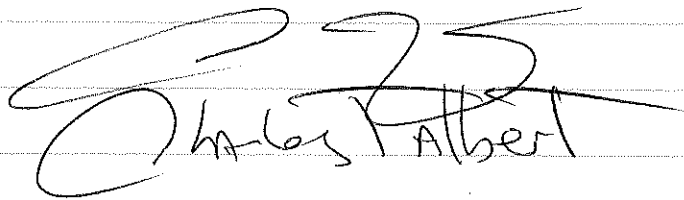
Dear Hon. Judge Mark A. Kearney:

Enclosed herein, kindly find A true copy of:

- (2) Civil Actions under 1983; and
- (2) Informa pauperis Applications; and
- (6) exhibits; and
- (1) Inmate Account Statement from 3/2/18

NOTE: Inmate Account Statement Is For
Both Complaints. Unable To
Make Copies Due To Retaliation
Very Truly Yours




Charles Talbert